

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BRANDON DONALD,

Plaintiff,

vs.

WALMART,

Defendant.

8:16CV201

**MEMORANDUM
AND ORDER**

On January 27, 2017, the court ordered Plaintiff to notify the court in writing of the date on which he received a right-to-sue notice in response to his charge of discrimination, or if he did not file suit within 90 days of his receipt of the right-to-sue notice, that he must show that equitable or exceptional circumstances exist to warrant tolling of the 90-day period. ([Filing No. 10](#)) Plaintiff was ordered to do so by February 16, 2017, or face dismissal of this matter. (*Id.*) To date, Plaintiff has filed no response.

IT IS THEREFORE ORDERED that: This matter is dismissed without prejudice. The court will enter Judgment by a separate document.

Dated this 2nd day of March, 2017.

BY THE COURT:

s/ *Richard G. Kopf*
Senior United States District Judge